



Dkt. 48879-B/JPW/JW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert E. Canfield, et al.

Serial No.: 09/404,076 Examiner: Patrick J. Nolan

Filed : September 23, 1999 Group Art Unit: 1644

For : ANTIBODIES SPECIFIC FOR hLH BETA CORE FRAGMENT  
AND USES THEREOF

1185 Avenue of the Americas  
New York, New York 10036  
December 12, 2005

MAIL STOP ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COMMUNICATION REQUESTING THAT THE PREVIOUSLY PAID ISSUE FEE

BE APPLIED IN RESPONSE TO NOTICE OF ALLOWANCE MAILED

SEPTEMBER 20, 2005

This Communication is submitted in response to the Notice of Allowance issued by the U.S. Patent and Trademark Office on September 20, 2005 in connection with the above-identified application. The September 20, 2005 Notice of Allowance provides three (3) months for paying the issue fee. Accordingly, the issue fee is due December 20, 2005, and this Communication and the December 12, 2005 Issue Fee Transmittal, two copies of which are attached hereto as **Exhibit A**, are being timely filed.

Applicants previously filed an Issue Fee and Publication Fee Transmittal, together with an issue fee (US \$665.00) and publication fee (US \$300.00), on May 7, 2004. A copy of the May 7, 2004 Issue Fee Transmittal is attached hereto as **Exhibit B**. Separately, applicants filed a Petition For Withdrawal From Issue Under 37 C.F.R. §1.313(c)(2) for the above-identified application on August 2, 2004. In response, on August 3, 2004 the U.S.

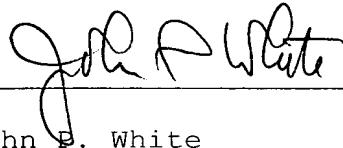
Applicants: Robert E. Canfield, et al.  
Serial No.: 09/404,076  
Filed: September 23, 1999  
Page 2

Patent and Trademark Office issued a Decision On Petition, a copy of which is attached hereto as **Exhibit C**. The August 3, 2004 Decision indicates that the August 2, 2004 Petition is granted and that, if the above-identified application is again allowed, petitioner may request that the issue fee paid on May 10, 2004 be applied towards the issue fee required by the new Notice of Allowance.

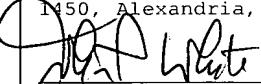
Accordingly, applicants hereby request that the Director of the USPTO apply the previously paid issue fee of \$665.00 to the above-identified application. In addition, applicants enclose herewith a check in the amount of \$35.00, i.e. the remainder of the issue fee due.

No fee, other than the enclosed issue fee, is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White  
Registration No. 28,678  
Attorney for Applicants  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: MAIL STOP ISSUE FEE, Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.	
	12/2/05
John P. White Reg. No. 28,678	Date



## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**

or **Fax** (703) 746-4000

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590 02/10/2004

COOPER & DUNHAM LLP

JOHN P WHITE  
1185 AVENUE OF THE AMERICAS.  
NEW YORK, NY 10036

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**  
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

John P. White	(Depositor's name)
<i>John P. White</i>	(Signature)
May 7, 2004	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/404,076	09/23/1999	ROBERT E. CANFIELD	48879-B/JPW/	8015

**TITLE OF INVENTION: ANTIBODIES SPECIFIC FOR HLH BETA CORE FRAGMENT AND USES THEREOF**

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$665	\$300	\$965	05/10/2004
EXAMINER	ART UNIT	CLASS-SUBCLASS			

NOLAN, PATRICK J 1644 530-389200

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

"Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 John P. White

2 Cooper & Dunham LLP

3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

The Trustees of Columbia University New York, New York  
in the City of New York

Please check the appropriate assignee category or categories (will not be printed on the patent):  individual  corporation or other private group entity  government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

Issue Fee

A check in the amount of the fee(s) is enclosed.

Publication Fee

Payment by credit card. Form PTO-2038 is attached.

Advance Order - # of Copies 13

The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 03-3125 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

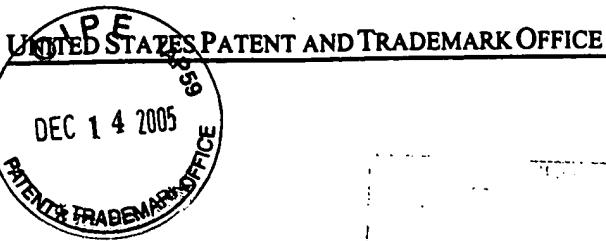
(Authorized Signature) *John P. White* (Date) May 7, 2004  
John P. White Reg. No. 28,678

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)



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JPW

AUG - 6 2004

COOPER & DUNHAM LLP  
JOHN P WHITE  
1185 AVENUE OF THE AMERICAS  
NEW YORK NY 10036

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AUG 03 2004

In re Application of  
Robert E. Canfield et al  
Application No. 09/404,076  
Filed: September 23, 1999  
Attorney Docket No. 48879-BJPW/

OFFICE OF PETITIONS

ON PETITION

Follow-up: 2/2/05  
Sue

This is a decision on the petition, filed August 2, 2004, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

**Petitioner is advised that the issue fee paid on May 10, 2004 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.<sup>1</sup>**

Telephone inquiries should be directed to the undersigned at (703) 305-8859.

The examiner of Technology Center AU 1644 will consider the request for continued examination under 37 CFR 1.114.

*Karen Creasy*

Karen Creasy  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

<sup>1</sup> The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).